



New Jersey Department of Children and Families Policy Manual

Manual:	NJAC	NJ Administrative Code Excerpts	Effective Date:
Title	10	Human Services	
Chapter	120A	Dispute Resolution	12/9/2008
Subchapter:	3	Dispositional Review	
Section	1	When to hold a dispositional review (N.J.A.C. 10:120A-3.1)	

§10:120A-3.1 When to hold a dispositional review

(a) When preliminary efforts described in N.J.A.C. 10:120A-2.4 have been declined by the appellant or have failed to resolve an issue and an appellant requests a dispositional review, and when the request is made in accordance with N.J.A.C. 10:120A-2.5, the Division shall provide a dispositional review with:

1. A service provider who disagrees with a status issue;
2. A resource parent who disagrees with the removal of a child receiving foster care in his or her resource home when the child has been residing with the resource parent for at least six months, except when:
 - i. The child is not being returned to a birth parent or relative;
 - ii. The child is not being united or reunited with siblings for whom the resource parent cannot or will not provide a home;
 - iii. The child is not being moved from a temporary placement to a permanent adoptive placement;
 - iv. The child has not been removed from a resource home pending the completion of an IAIU child abuse and neglect investigation; or
 - v. The resource parent or household member has a finding of substantiated abuse or neglect in accordance with N.J.A.C. 10:129-7.3;
3. A resource parent who disagrees with the removal of a child who has been in the home continuously for six months or more for the purpose of finalizing an adoption;
4. A resource parent of one child in a sibling group who disagrees with the placement of a sibling with a separate resource family for either foster care or adoption consistent with N.J.S.A. 9:6B-4d; and

5. A resource parent who disagrees with the re-placement of a child needing foster care in another resource home consistent with N.J.S.A. 30:4C-53.3c(5).

(b) A relative does not have a right to appeal, as a status issue, a Division action that it is not in a child's best interest to be placed with a relative. A relative can appeal a Division action that the relative is either unwilling or unable to care for a child.